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Attorney for Plaintiff,
KARL LOUIS d/b/a CCOMG GmbH,

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

KARL LOUIS d/b/a CCOMG GMBH,

Plaintiff,

v.

REAL TV CRITICS, LLC,

Defendant.

Case No. _____

**COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF FROM
COPYRIGHT INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiff Karl Louis d/b/a CCOMG GmbH, for his Complaint against Real TV Critics, LLC, Defendant, alleges as follows:

INTRODUCTION

1. Karl Louis d/b/a CCOMG GmbH (hereinafter “Plaintiff”), by counsel, brings this action to challenge the actions of Real TV Critics, LLC (hereinafter “Defendant”), with regard to the unlawful use of copyrighted images (hereinafter “Images”) owned by Plaintiff, and this conduct caused Plaintiff damages.

2. For the purposes of this Complaint for Damages, unless otherwise

1 indicated, "Defendant" includes all agents, employees, officers, members,
2 directors, heirs, successors, assigns, principals, trustees, sureties, subrogates,
3 representatives and insurers of Defendant(s) named in this caption.

4 **JURISDICTION AND VENUE**

5
6 3. This is a civil action seeking damages and injunction relief for
7 copyright infringement under the Copyright Act of the United States, 17 U.S.C. §
8 101, whereby the Defendant violated Plaintiff's exclusive rights as copyright
9 owner pursuant to 17 U.S.C. §§ 106 and 106A.
10

11 4. This Court has subject matter jurisdiction over Plaintiff's claims for
12 copyright infringement pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).
13

14 5. This Court has personal jurisdiction over Defendant because
15 Defendant is a business entity incorporated in the State of California, Defendant's
16 acts of infringement complained of herein occurred in the State of California, and
17 Defendant has caused injury to Plaintiff in his intellectual property within the State
18 of California.
19

20 6. Venue is proper pursuant to 28 U.S.C. § 1391(b) because the
21 Defendant resides in this judicial district and a substantial part of the events giving
22 rise to Plaintiff's claim occurred in this judicial district. Alternatively, venue is
23 also proper pursuant to 28 U.S.C. § 1400(b) because the Defendant resides,
24 committed the acts of infringement, and has a regular and established place of
25 business in this judicial district.
26
27

28 //

PARTIES

7. Plaintiff is a natural person who resides in the City of Dietikon, in the Nation of Switzerland, and is a professional photographer by trade.

8. Plaintiff is a “copyright owner” who holds “exclusive rights” to his “copyrighted work[s]” pursuant to 17 U.S.C. §§ 101, 106, 106A.

9. Plaintiff is informed and believes, and thereon alleges, that Defendant is a business entity residing in the City of Los Angeles, in the State of California, and conducted business within the City of Los Angeles, in the State of California.

10. Plaintiff is informed and believes, and thereon alleges, that Defendant is a business entity who unlawfully published Plaintiff’s copyrighted works without Plaintiff’s express or implied authority, by the method of a license.

FACTUAL ALLEGATIONS

11. At all times relevant, Plaintiff was an individual residing within the Nation of Switzerland.

12. Plaintiff is informed and believes, and thereon alleges, that at all times relevant, Defendant was a business entity residing in the State of California and in this judicial district.

13. Plaintiff is a photographer by trade. He photographs various objects and sells or licenses them to people and companies seeking to make use of the photographs for advertisements and pecuniary gain. Plaintiff’s livelihood is dependent on receiving compensation for the photographs he produces.

14. Plaintiff took the Original Images; *see* Original Images attached

1 hereto as Exhibit 1.

2 15. Plaintiff has ownership and copyrights to the Images.

3 16. Plaintiff has registered the Images with the United States Copyright
4 Office under Registration Numbers VA 1-968-060 and VA 1-969-041.
5

6 17. The Images displayed a watermark of “Karl Louis” in the lower right
7 hand corner.

8 18. Plaintiff has provided multiple notices to Defendant that the Images
9 are subject to copyright and to cease use of the Images.
10

11 19. Plaintiff did not consent to authorize, permit, allow in any manner the
12 use of the Images by Defendant.
13

14 20. Plaintiff is informed and believes that Defendant willfully used
15 Plaintiff’s copyrighted works without his permission and that it published,
16 communicated, benefited through, posted, publicized and otherwise held out to the
17 public for commercial benefit, the original and unique work of Plaintiff without
18 Plaintiff’s consent or authority, and acquired monetary gain and market benefit as
19 a result.
20

21 21. Plaintiff is informed and believes that Defendant used the Images on
22 its business website from August 28, 2015 to the present, *see* Screenshots of
23 Defendant’s use attached hereto as Exhibit 2.
24

25 22. Defendant willfully uses the Images to promote the Defendant’s
26 business despite its knowledge that the Images are subject to copyright.
27

28 23. Plaintiff did not consent to the use of his Image for commercial gain.

FIRST CAUSE OF ACTION

COPYRIGHT INFRINGEMENT

Title 17 of the United States Code

24. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

25. Plaintiff did not consent to, authorize, permit, or allow in any manner the said use of Plaintiff's unique and original materials and/or work.

26. Plaintiff is informed and believes and thereon alleges that said Defendant willfully infringed upon Plaintiff's copyrighted works in violation of Title 17 of the U.S. Code, in that it published, communicated, benefited through, posted, publicized, and otherwise held out to the public for commercial benefit, the original and unique work of the Plaintiff's consent or authority and acquired monetary gain and market benefit as a result.

27. As a result of each and every Defendant's violations of Title 17 of the U.S. Code, Plaintiff is entitled to actual damages and profits pursuant to 17 U.S.C. §504(b), or statutory damages in an amount up to \$150,000.00 for each infringement pursuant to 17 U.S.C. § 504(c).

28. As a result of the Defendant's violations of Title 17 of the U.S. code, the court in its discretion may allow the recovery of full costs as well as reasonable attorney's fees and costs pursuant to 17 U.S.C § 505 from Defendant.

29. Plaintiff is also entitled to injunctive relief to prevent or restrain infringement of his copyright pursuant to 17 U.S.C. § 502.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendant

- Awarding statutory damages in an amount up to \$150,000.00 for each infringement pursuant to 17 U.S.C. § 504(c) from Defendant;
- Awarding costs of litigation and reasonable attorney's fees, pursuant to 17 U.S.C. § 505 from Defendant;
- Enjoining the Defendant from further infringement of all copyrighted works of the Plaintiff pursuant to 17 U.S.C. § 502; and
- Awarding any other relief the Court deems just and proper.

Dated: December 29, 2015

Respectfully submitted,

/s/ Mathew K. Higbee
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Counsel for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff, Karl Louis d/b/a CCOMG GmbH, hereby demands a trial by jury in
the above matter.

Dated: December 29, 2015

Respectfully submitted,

/s/ Mathew K. Higbee
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